



**City of College Park
Department of Planning, Community & Economic Development
Staff Report**

Reviewer: Miriam Bader

Date: February 26, 2021

A. APPEAL INFORMATION

Appeal No.: CPV-2021-03

Hearing Date: March 4, 2021

Petitioner: John Murphy

Address: 6908 Dartmouth Avenue

Subdivision: College Park, Lot 193, Block I

Neighborhood Association: Calvert Hills Citizens Association

Zoning: R-55

Request: A variance up to 2.16% or 160.30 square feet from the maximum allowable lot coverage of 30% or 2,225.7 square feet.

Purpose of Request: To permit replacement of a garage and covered work area with a new garage.

Requirements: 1. Lot Coverage. Section 27-442 (c) Table II of the Prince George's County Zoning Ordinance prescribes a maximum lot coverage of 30 percent in the R-55 zone.

Property Characteristics: 1. The property is rectangular with a width of nearly 52 feet and an average depth of 143 feet for a total area of 7,419 square feet.

2. The property is improved with a 1,630 square foot, 2 story brick and frame house, a 258.3 square foot freestanding garage, a 77 square foot covered area and an 896 square foot driveway, all built in or around 1936. The driveway extends almost the entire depth of the lot since the garage was placed at the very back of the lot.

3. The existing lot coverage exceeds the maximum allowed by 3.11%. The proposed new garage will reduce lot coverage by 0.95% or 70.3 square feet by

- reducing the size of the driveway and including the work area within the new garage.
4. Two very large oak trees prevent moving the garage closer to the street.
- Neighborhood Characteristics:
1. The property and immediate neighborhood are zoned R-55, single-family residential (Exhibit 5).
 2. Similarly sized detached garages exist in the neighborhood.
- Other Information:
1. The new Zoning Ordinance will permit lot coverage in the R-55 zone to be 35%, but it has not yet gone into effect.

CRITERIA FOR GRANTING A VARIANCE

1. Property has exceptional narrowness, shallowness, or shape, exceptional topographic conditions or other extraordinary situations or conditions.

The property is exceptionally deep with the original garage built in 1936 located at the very back of the lot. The resulting long driveway adds significantly to lot coverage. The proposal to construct a new garage will reduce lot coverage from the existing condition.

2. The strict application of the County Zoning Ordinance will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon the property owner.

The strict application of the Zoning Ordinance will result in a peculiar and unusual practical difficulty by preventing the replacement of an old garage even when it will result in less lot coverage. The existing improvements, including the garage and driveway, preceded the Zoning Ordinance and so did not require a variance.

3. The variance will not substantially impair the intent, purpose or integrity of any applicable County General Plan or County Master Plan.

Granting the driveway variance will not substantially impair the intent or purpose of the applicable County General Plan or County Master Plan since lot coverage will be reduced, and the size of the new garage is not out of character with the rest of the neighborhood.

C. RECOMMENDATION

Staff recommends approval of the requested lot coverage variance of 2.16% or 160.30 square feet.

D. EXHIBITS

1. Application
2. Existing Conditions Site Plan
3. Proposed Conditions Site Plan
4. Tax Records
5. Location Map
6. Zoning and Building Footprint Map
7. Impervious Surface Map
8. Aerial Photograph
9. Lot Coverage Calculations
10. Staff Photos



City of College Park Advisory Planning Commission

8400 Baltimore Avenue, Suite 375

College Park, MD 20740

Phone: 240-487-3538 • www.collegeparkmd.gov

EXHIBIT 1

**APPLICATION FOR VARIANCE FROM
THE STRICT APPLICATION OF THE
PRINCE GEORGE'S COUNTY ZONING ORDINANCE**

Instructions: Please complete and mail to the address above or e-mail to Miriam Bader at mbader@collegeparkmd.gov. All required information must be provided before an application is accepted for processing. An appointment with the City Planning Staff must be made to review the application prior to acceptance. Please call (240) 487-3538 to schedule an appointment. The following items must accompany the application: 1) an accurate plat or site plan drawn to scale that, includes all existing structures, driveway and additions; 2) filing fee or financial hardship waiver request.

OWNER INFORMATION

Name of Property Owner (s) _____

Address of Property _____

Do you reside in the property? ☐ Yes ☐ No

If no, provide home address _____

Telephone _____ **Fax** _____ **E-mail** _____

Name of Agent/Representative (if any) _____

Address _____ **Telephone** _____

Have you applied for and been denied a permit? ☐ Yes ☐ No

Have you received a violation notice? ☐ Yes ☐ No **If yes, date of notice** _____

Has property been the subject of a previous appeal or zoning application? ☐ Yes ☐ No

If yes, provide case number(s) and dates _____

Do you require an interpreter? ☐ Yes ☐ No

DESCRIPTION OF PROPERTY

Subdivision _____ **Lot** _____ **Block** _____ **Parcel** _____

Zoning _____ **Total Area (Sq ft)** _____

Civic Association Name _____

VARIANCE REQUEST

List each required variance on a separate line and cite the section of the Zoning Ordinance from which the variance is requested.

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

PURPOSE OF VARIANCE

Describe what you propose to do and why you need a variance.

IN ORDER FOR A VARIANCE TO BE GRANTED, ALL OF THE FOLLOWING CRITERIA MUST BE MET. PLEASE INDICATE HOW YOU COMPLY WITH EACH OF THESE.

Criteria #1. Property has exceptional narrowness, shallowness, or shape, exceptional topographic conditions or other extraordinary situations or conditions. *(Describe any special conditions and/or circumstances which are peculiar or unique to the property and, that are not characteristic of other property in the neighborhood).*

Criteria #2. The strict application of the County Zoning Ordinance will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon the property owner. *(The property owner is deprived of property rights commonly enjoyed by neighboring property owners because of the property's unusual features or conditions). Hardship cannot be self-imposed.*

Criteria # 3. The variance will not substantially impair the intent, purpose or integrity of any applicable County General Plan or County Master Plan. *(Granting of the variance will not be in conflict with the public interest as requested in these plans).*

NAMES & MAILING ADDRESSES OF ALL ADJOINING PROPERTY OWNERS
(These include properties located on either side, behind and across the street from your property).

| Property Address | Owner's Name | Owner's Address |
|------------------|--------------|-----------------|
|------------------|--------------|-----------------|

| | | |
|------------------|--------------|-----------------|
| Property Address | Owner's Name | Owner's Address |
|------------------|--------------|-----------------|

| | | |
|------------------|--------------|-----------------|
| Property Address | Owner's Name | Owner's Address |
|------------------|--------------|-----------------|

| | | |
|------------------|--------------|-----------------|
| Property Address | Owner's Name | Owner's Address |
|------------------|--------------|-----------------|

| | | |
|------------------|--------------|-----------------|
| Property Address | Owner's Name | Owner's Address |
|------------------|--------------|-----------------|

Signature of Owner (Required)

Date

Signature of Owner (Required)

Date

OTHER INFORMATION

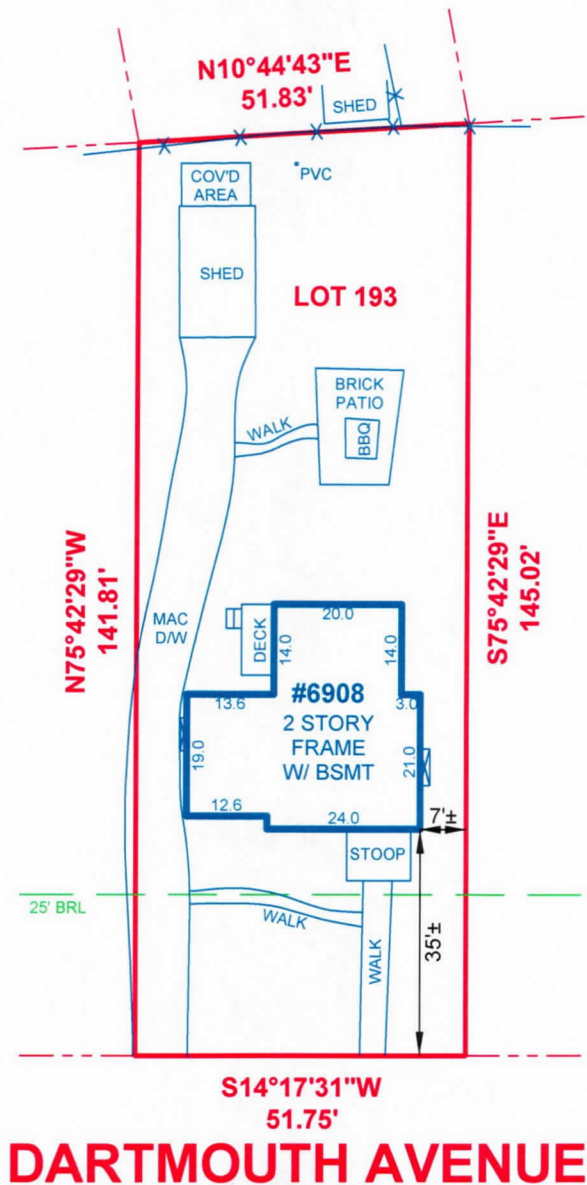
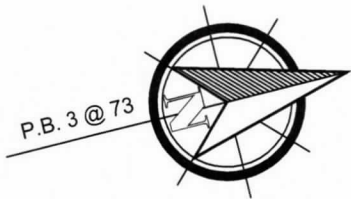
Fee Schedule: A check or money order shall be made payable to the City of College Park. The fee schedule is as follows:

| | |
|---|----------|
| Variance for an existing dwelling | \$200.00 |
| Variance for residential new construction | \$500.00 |
| Variance for commercial property | \$ 1,500 |
| Variance for any other purpose in all zones | \$ 1,500 |
| Each sign posted on commercial or industrial property | \$ 10.00 |

Site Plan: The site plan must be accurate, legible and drawn to scale. It should be prepared by a registered engineer or land surveyor and **must show all existing and proposed structures and driveways** (*sheds, carports, etc.*) The plan must also show all abutting streets and alleys, distances along property lines, and distances (setbacks) of all existing and proposed structures from the property lines.

Scheduling: Once an application has been accepted, it may take several weeks to schedule a hearing. The applicant or an authorized representative must attend the hearing to justify the request. The Advisory Planning Commission (APC) normally meets the first Thursday of the month. After an application has been heard, the APC, will render a recommendation or hold the record open to receive additional evidence. The Commission's recommendation is forwarded to the City Council for final action. If you disagree with the recommendation, you have fifteen (15) calendar days from the date of the resolution to request oral argument before the City Council.

Application for a variance is no assurance that it will be granted. The public hearing is for you and others interested in this case to state their positions. If you need additional assistance in filling out the application, contact the City of College Park Planning Department at (240) 487-3538. Remember, an appointment must be made with the Planning Department to review your application prior to its acceptance for processing.



THE LEVEL OF ACCURACY OF
DISTANCES TO APPARENT
PROPERTY LINES IS: **1'±**

LOCATION DRAWING OF:

#6908 DARTMOUTH AVENUE
LOT 193 BLOCK I
SECTION "B"
COLLEGE PARK
PLAT BOOK 3, PLAT 73
PRINCE GEORGE'S COUNTY, MARYLAND

SCALE: 1"=30' DATE: 02-03-2021
DRAWN BY: AP FILE #: 211001-200

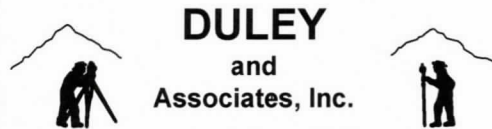
LEGEND:

- FENCE
- BASEMENT ENTRANCE
- BAY WINDOW
- BRICK
- BLDG. RESTRICTION LINE
- BASEMENT
- CONCRETE STOOP
- CONCRETE
- DRIVEWAY
- EXISTING
- FRAME
- MACADAM
- GATE
- OVERHANG
- PUBLIC UTILITY ESMT.
- PUBLIC IMPROVEMENT ESMT.

COLOR KEY:

- (RED) - RECORD INFORMATION
- (BLUE) - IMPROVEMENTS
- (GREEN) - ESMTS & RESTRICTION LINES

A Land Surveying Company



Serving D.C. and MD.

14604 Elm Street, Upper Marlboro, MD 20772

Phone: 301-888-1111

Fax: 301-888-1114

Email: orders@duley.biz

On the web: www.duley.biz



SURVEYOR'S CERTIFICATE

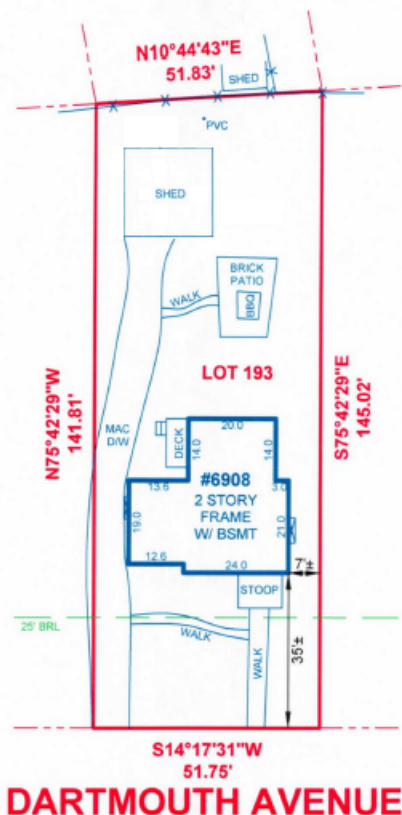
I HEREBY STATE THAT I WAS IN RESPONSIBLE CHARGE OVER THE PREPARATION OF THIS DRAWING AND THE SURVEY WORK REFLECTED HEREIN AND IT IS IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH IN REGULATION 12 CHAPTER 09.13.06 OF THE CODE OF MARYLAND ANNOTATED REGULATIONS. THIS SURVEY IS NOT TO BE USED OR RELIED UPON FOR THE ESTABLISHMENT OF FENCES, BUILDING, OR OTHER IMPROVEMENTS. THIS PLAT DOES NOT PROVIDE FOR THE ACCURATE IDENTIFICATION OF PROPERTY BOUNDARY LINES, BUT SUCH IDENTIFICATION MAY NOT BE REQUIRED FOR THE TRANSFER OF TITLE OR SECURING FINANCING OR REFINANCING. THIS PLAT IS OF BENEFIT TO A CONSUMER ONLY INsofar AS IT IS REQUIRED BY A LENDER OR A TITLE INSURANCE COMPANY OR ITS AGENTS IN CONNECTION WITH THE CONTEMPLATED TRANSFER, FINANCING OR REFINANCING. NO TITLE REPORT WAS FURNISHED TO NOR DONE BY THIS COMPANY. SAID PROPERTY SUBJECT TO ALL NOTES, RESTRICTIONS AND EASEMENTS OF RECORD. BUILDING RESTRICTION LINES AND EASEMENTS MAY NOT BE SHOWN ON THIS SURVEY. IMPROVEMENTS WHICH IN THE SURVEYOR'S OPINION APPEAR TO BE IN A STATE OF DISREPAIR OR MAY BE CONSIDERED "TEMPORARY" MAY NOT BE SHOWN. IF IT APPEARS ENCROACHMENTS MAY EXIST, A BOUNDARY SURVEY IS RECOMMENDED.

DULEY & ASSOC.

**WILL GIVE YOU A 100%
FULL CREDIT TOWARDS
UPGRADING THIS
SURVEY TO A
"BOUNDARY/STAKE"
SURVEY FOR ONE
YEAR FROM THE DATE
OF THIS SURVEY.**

(EXCLUDING D.C. & BALT. CITY)

EXHIBIT 3



THE LEVEL OF ACCURACY OF
DISTANCES TO APPARENT
PROPERTY LINES IS:

1"

LOCATION DRAWING OF:

#6908 DARTMOUTH AVENUE
LOT 193 BLOCK I
SECTION "B"
COLLEGE PARK
PLAT BOOK 3, PLAT 73

PRINCE GEORGE'S COUNTY, MARYLAND

SCALE: 1"=30' DATE: 02-03-2021

LEGEND:

- B/E - BASEMENT ENTRANCE
- B/W - BAY WINDOW
- BR - BRICK
- BRL - BLDG. RESTRICTION LINE
- BSMT - BASEMENT
- C/S - CONCRETE STOOP
- CONC - CONCRETE
- D/W - DRIVEWAY
- Ex - EXISTING
- FR - FRAME
- MAC - MACADAM
- G - GATE
- O/H - OVERHANG
- PUE - PUBLIC UTILITY EGMT.
- PIE - PUBLIC IMPROVEMENT EGMT.

COLOR KEY:

- (RED) - RECORD INFORMATION

Real Property Data Search

Search Result for PRINCE GEORGE'S COUNTY

| View Map | | View GroundRent Redemption | | View GroundRent Registration | |
|--|-----------------|--|-----------------------|-------------------------------|-----------------------|
| Special Tax Recapture: None | | | | | |
| Account Identifier: | | District - 21 Account Number - 2370179 | | | |
| Owner Information | | | | | |
| Owner Name: | | MURPHY MARY M TRUSTEE | | Use: | RESIDENTIAL |
| Mailing Address: | | 6908 DARTMOUTH AVE COLLEGE PARK MD 20740-3706 | | Principal Residence: | YES |
| | | | | Deed Reference: | /14127/ 00596 |
| Location & Structure Information | | | | | |
| Premises Address: | | 6908 DARTMOUTH AVE COLLEGE PARK 20740-0000 | | Legal Description: | |
| Map: | Grid: | Parcel: | Neighborhood: | Subdivision: | Section: |
| 0042 | 00D1 | 0000 | 21053200.17 | 3200 | B |
| Block: | Lot: | Assessment Year: | Plat No: | A-0749 | |
| EYE | 193 | 2019 | Plat Ref: | | |
| Town: COLLEGE PARK | | | | | |
| Primary Structure Built | | Above Grade Living Area | | Finished Basement Area | |
| 1936 | | 1,630 SF | | 7,419 SF | |
| Property Land Area | | County Use | | | |
| 7,419 SF | | 001 | | | |
| Stories | Basement | Type | Exterior | Quality | Full/Half Bath |
| 2 | YES | STANDARD UNIT | 1/2 BRICK FRAME/BRICK | 4 | 2 full |
| Garage | | Last Notice of Major Improvements | | | |
| 1 Detached | | | | | |
| Value Information | | | | | |
| Base Value | | Value | | Phase-in Assessments | |
| | | As of 01/01/2019 | | As of 07/01/2020 | |
| | | | | As of 07/01/2021 | |
| Land: | 150,300 | 200,300 | | | |
| Improvements | 201,000 | 299,900 | | | |
| Total: | 351,300 | 500,200 | | 450,567 | 500,200 |
| Preferential Land: | 0 | 0 | | | |
| Transfer Information | | | | | |
| Seller: MURPHY,WILLIAM E & MARY M | | Date: 10/20/2000 | | Price: \$0 | |
| Type: NON-ARMS LENGTH OTHER | | Deed1: /14127/ 00596 | | Deed2: | |
| Seller: | | Date: | | Price: | |
| Type: | | Deed1: | | Deed2: | |
| Seller: | | Date: | | Price: | |
| Type: | | Deed1: | | Deed2: | |
| Exemption Information | | | | | |
| Partial Exempt Assessments: | | Class | 07/01/2020 | | 07/01/2021 |
| County: | 000 | 0.00 | | | |
| State: | 000 | 0.00 | | | |
| Municipal: | 000 | 0.00 0.00 | | 0.00 0.00 | |
| Special Tax Recapture: None | | | | | |
| Homestead Application Information | | | | | |
| Homestead Application Status: No Application | | | | | |
| Homeowners' Tax Credit Application Information | | | | | |
| Homeowners' Tax Credit Application Status: No Application | | | | Date: | |

EXHIBIT 5. LOCATION MAP

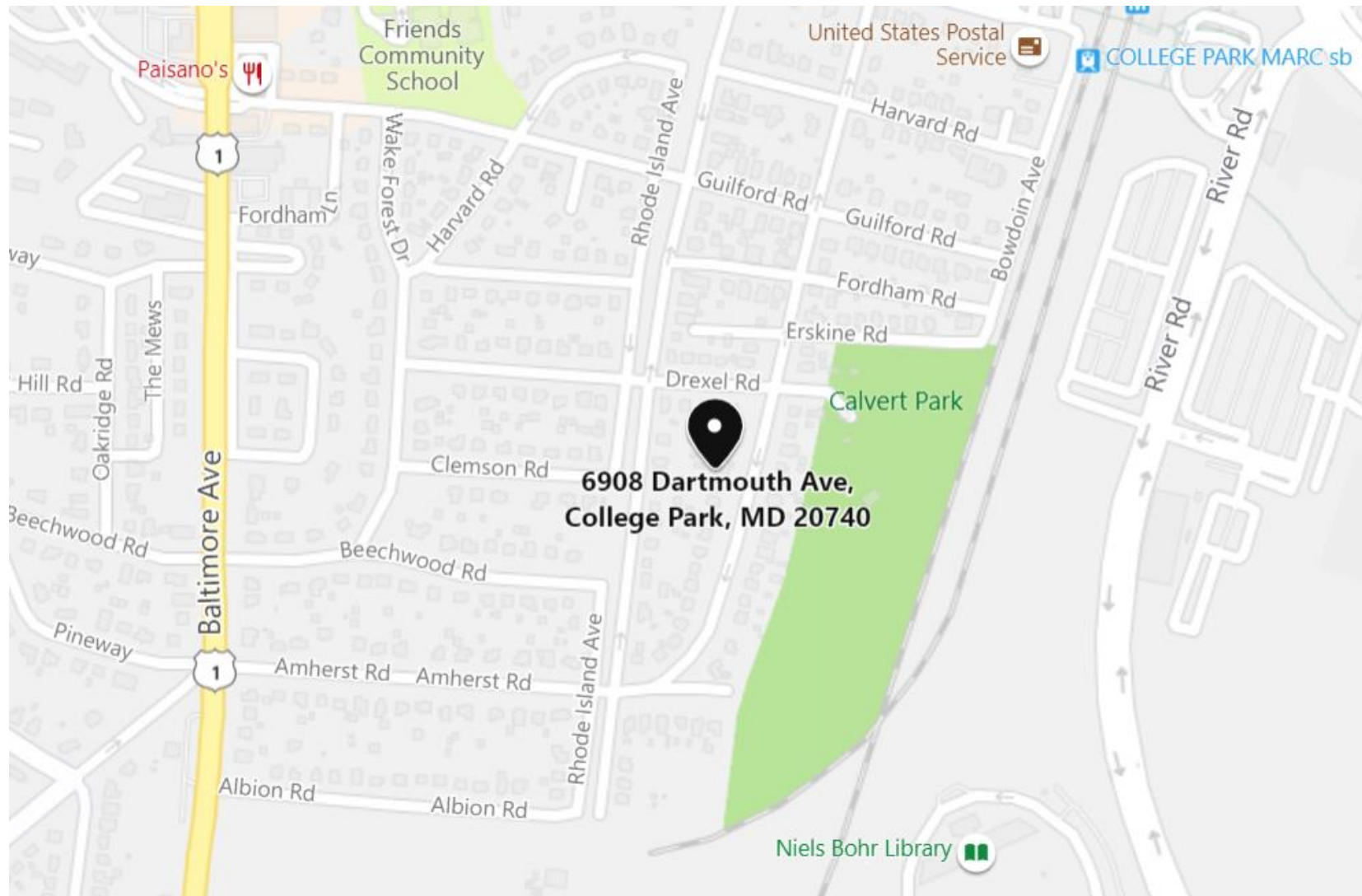


EXHIBIT 6. ZONING AND BUILDING FOOTPRINT



EXHIBIT 7. IMPERVIOUS SURFACE MAP

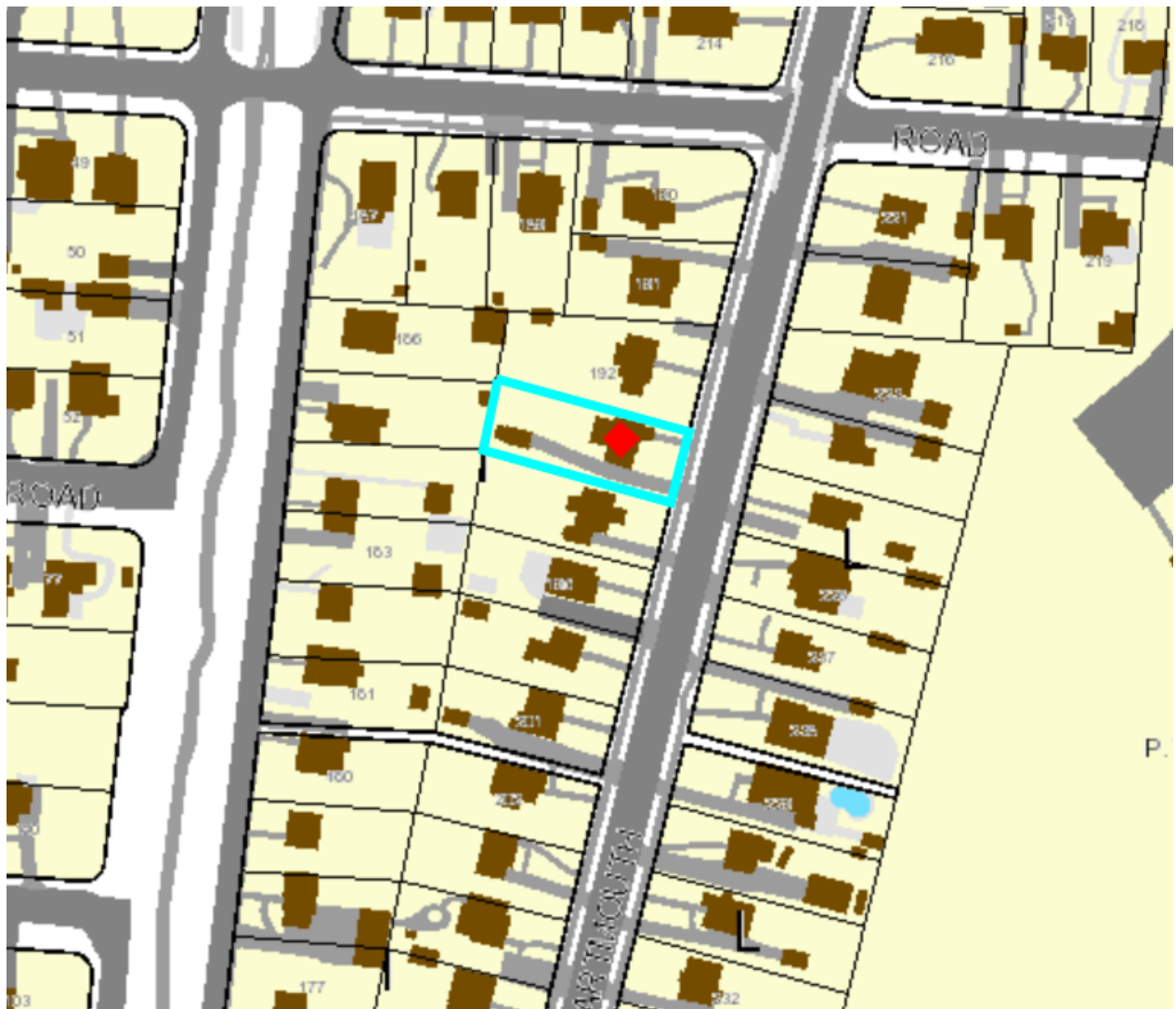


EXHIBIT 8. AERIAL PHOTOGRAPH



Lot Coverage Calculations

6908 Dartmouth Avenue

$$\text{Lot size} = 7,419 \text{ sq ft} \times 30\% = 2225.7 \text{ sq ft}$$

House

$$20 \times 14 = 280$$

$$3 \times 21 = 63$$

$$13.1 \times 19 = 249$$

$$21 \times 21 = 441$$

$$\underline{1033 \text{ sq ft}}$$

$$\text{Stoop} \quad \underline{80} \\ 1113 \text{ sq ft}$$

Existing Garage

$$12'6" \times 20.5' = 258.30$$

Proposed Garage

$$20 \times 20' = 400 \text{ sq ft}$$

Existing covered area

$$7 \times 11 = 77$$

Existing Driveway

$$9 \times 112' = 1008 \\ \underline{1343.30 \text{ sq ft}}$$

Proposed Driveway

$$9 \times 97' = 873 \text{ sq ft} \\ \underline{1273 \text{ sq ft}}$$

Existing Lot Coverage

$$\frac{2456.3}{7419}$$

$$= 33.11\%$$

3.11% over

$$2456.3 - 2225.7 = \underline{230.6 \text{ sq ft over}}$$

Proposed Lot Coverage

$$\frac{2386}{7419}$$

$$= 32.16\%$$

2.16% over

$$2386 - 2225.7 = \underline{160.3 \text{ sq ft over}}$$

EXHIBIT 10. Staff Photos



A: Subject Property, 6908 Dartmouth



B: Left Side of Property



C: Existing Garage



D. Covered Work Area Behind Garage